

CERTIFICATE OF MAILING, FACSIMILE OR ELECTRONIC TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is _____ being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed _____ to the Commissioner for Patents address below.
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/Mark D. Saralino/
Mark D. Saralino

December 5, 2008
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haruo WAKAYAMA.
Serial No.: 10/533,650
Filing Date: May 5, 2005
For: SCRIBE LINE FORMING DEVICE AND SCRIBE LINE FORMING METHOD
Examiner: Sean M. Michalski
Art Unit: 3724
Attorney Docket No. YAMAP0979US

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed September 8, 2008, finally rejecting claims 1, 5 and 14-16.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

 X other than a small entity.

 a small entity.

A verified statement

 is attached.

 was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

 small entity \$270.00

 X other than a small entity \$540.00

Notice of Appeal Fee Due \$540.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(3)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<u> </u>	one month	\$ 130.00	\$ 65.00
<u> </u>	two months	\$ 490.00	\$245.00
<u> </u>	three months	\$1,110.00	\$555.00
<u> </u>	four months	\$1,730.00	\$865.00

Fee \$ 0.00

If additional extension of time is required, please consider this a petition therefor.

- An extension for months has already been secured. The fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 540.00
Extension fee (if any) \$ 0.00

TOTAL FEE DUE \$ 540.00

5. FEE PAYMENT

- X Credit card payment via EFS-Web in the sum of \$ 540.00.
 Charge Account No. 18-0988 the sum of \$.
(A duplicate of this transmittal is attached.)

6. FEE DEFICIENCY

- X If any additional extension and/or fee is required, charge Account No. 18-0988.
and/or
 X If any additional fee for claims is required, charge Account No. 18-0988.

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